IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.353 OF 2007.

Sudhakar Ishwar Goli. ... Appellant.

Versus.

Municipal Corporation of Greater Mumbai. ... Respondent.

Shri M.S.Kumtekar for the Appellant.

Mrs.Geeta Joglekar for the Respondent.

CORAM : ABHAY S.OKA, J.

DATED : 4th May, 2007.

P.C.:

1. Heard the Advocate appearing for the Appellant. He states that he is not pressing this Appeal and the suit on merits as the Appellant desires to apply for regularisation of the suit structure within four weeks.

2. Hence the following order is passed:

i) The Appeal is dismissed as not pressed.

ii) The Appellant is at liberty to apply for regularisation of the offending structure within four weeks from today. If such application is made within four weeks from today, the same shall be decided by the concerned authority of the Respondent within eight weeks from the date of receipt of the said application.

iii) For a period of twenty weeks from today, the offending structure shall not be demolished.

(iv) In case the Appellant fails to apply for regularisation of the offending structure within four week from today, the Respondent-Corporation is free to take action against the offending structure on completion of period of four weeks.

iv) Parties to act on an authenticated copy of this order.

Judge.